

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO**

IN RE:

ALEXIS H DIAZ DIAZ
AMNERIS MARTINEZ ALVAREZ

DEBTOR (S)

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CASE NO: **10-08803 MCF**

CHAPTER 13

**NOTICE OF FILING AMENDED CHAPTER 13 PLAN
AND CERTIFICATE OF SERVICE**

TO THE HONORABLE COURT:

COMES NOW DEBTORS, through the undersigned counsel and respectfully to the Honorable Court state and pray as follow:

1. The Chapter 13 plan dated November 15, 2010 is amended to provide for payment of debtors' current disposable income, according to debtors' current financial situation, as disclosed in amended schedule J filed on today's date (d. e. 17).

2. The 341 (a) Meeting of Creditors (341 herein) was rescheduled to be held on November 22, 2010. The confirmation hearing is scheduled for December 2, 2010 at 1:30 PM (d. e. 15).

WHEREFORE, debtors hereby request from the Honorable Court to take notice of the filing of the proposed Amended Chapter 13 Plan and that the same has been served upon all creditors and parties in interest in this case as per the attached master address list.

NOTICE IS HEREBY GIVEN THAT DEBTORS HAVE FILED A PROPOSED CHAPTER 13 PLAN DATED NOVEMBER 15, 2010, WHICH MAY BE APPROVED WITHOUT FURTHER NOTICE OR HEARING UNLESS A WRITTEN OBJECTION IS FILED NOT LATER THAN 10 DAYS PRIOR TO THE CONFIRMATION HEARING TO BE HELD ON DECEMBER 2, 2010 AT 1:30 PM(LBR 3015-2 (e)).

Respectfully submitted in San Juan, Puerto Rico, this November 15, 2010

CERTIFICATE OF SERVICE: I hereby certify that on November 15, 2010 I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will send notification of such filing to all registered parties, and I hereby certify that I have mailed by United States Postal Service the document along with the amended plan to the non CM/ECF participants as per the amended attached master address list.

/s/ MADELINE SOTO PACHECO
MADELINE SOTO PACHECO, ESQ.
ATTORNEY FOR DEBTOR (S):
Alexis H. Díaz Díaz and Amneris Martínez Álvarez
USDC 207910
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E-mail: lubeysoto@yahoo.com

AMENDED CHAPTER 13 PAYMENT PLAN

AMENDED CHAPTER 13 PAYMENT PLAN

Continuation Sheet - Page 2 of 2

NO NLV
NO PRIORITIES

ORDER OF DISTRIBUTION TO BE MADE BY TRUSTEE:

FIRST: ATTORNEY FEES PURSUANT TO 11 USC 330

SECOND: PRO RATA PAYMENTS TO THE FOLLOWING SECURED CLAIMS' HOLDERS:

-FIRSTBANK- AUTO LOAN 2006 SUZUKI GRAND VITARA THROUGH THE PLAN IN THE AMOUNT OF \$11,475.31(CL-3). INSURANCE TO CREDITOR TO BE PROVIDED BY EASTERN AMERICA INSURANCE CO THROUGH THE PLAN UPON MATURITY OF CONTRACT (6/2012) IN THE AMOUNT OF \$1,353.00 (REFER TO ATTACHMENT I). ADEQUATE PROTECTION TO FIRSTBANK IN THE AMOUNT OF \$180.00 PER MONTH UP TO THE CONFIRMATION OF THE PLAN.

THIRD: PRO RATA DISTRIBUTION TO ALLOWED GENERAL UNSECURED CLAIMS

-AUTO LOAN TO BBVA OVER 2005 SUZUKI FIRENZA REGISTERED ON DEBTOR'S SPOUSE NAME, BUT BELONG TO PEDRO L MARTINEZ RUIZ, BO RIO CHIQUITO CARR 588 KM 3, PONCE, PR 00731. DEBTOR HAS NO INTEREST ON MOTOR VEHICLE. DEBTORS CONSENT TO THE LIFT STAY ON BEHALF OF CREDITOR.

-DEBTOR TO CONTINUE TIMELY PAYMENTS ON CHILD SUPPORT THROUGH ASUME ON BEHALF OF MINOR CHILD OF LUPITA CAQUIAS NEGRON. DEBTOR IS UP TO DATE IN CHILD SUPPORT PAYMENTS.

-TAX REFUNDS, IF ANY, WILL BE DEVOTED EACH YEAR, AS PERIODIC PAYMENTS, TO THE PLAN'S FUNDING UNTIL PLAN COMPLETION. DEBTOR WILL AMEND THE PLAN TO PROVIDE FOR THE PAYMENT OF SUCH REFUNDS AS LUMP SUMS FOR EACH YEAR AS APPLICABLE. IF NEED BE FOR THE USE BY DEBTOR(S) OF A PORTION OF SUCH REFUND, DEBTOR (S) WILL SEEK COURT'S AUTHORIZATION PRIOR TO ANY USE OF THESE FUNDS.

- FAILURE TO TIMELY OBJECT TO THIS PLAN BY A CREDITOR CONSTITUTES A WAIVER OF THE EQUAL MONTHLY AMOUNT METHOD OF PAYMENT 11 USC 1325 (a)(5).

**EASTERN AMERICA INSURANCE COMPANY**

P.O.Box 71517 San Juan, PR 00936-8617

Tel: (787) 774-9211

Quote ID:

18835

PREMIUM CALCULATION

Date requested: 9/30/2010 10:16:00AM
By: Fax
Debtor: ALEXIS H DIAZ DIAZ
Join debtor: AMNERIS MARTINEZ ALVAREZ
Case #: 1008803
Esq.: MADELINE SOTO PACHECO

Manufacturer: SUZUKI
Year: 2006
Lienholder: FIRST BANK
Balance: \$11,475.00

Manufacturer: GRAND VITARA
VIN #: JS3TE943264106363
Loan: 100738670005103
File Date: 09/23/2010
Maturity Date: 06/01/2012

\$41.00 (MONTHLY PREMIUM 33 MONTHS).

TOTAL ESTIMATED COVERAGE IS: \$1,353.00

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UNIVERSITY STATION
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